

BOARD OF AGRICULTURE, TRADE AND CONSUMER PROTECTION MINUTES

November 17, 2016

The Board of Agriculture, Trade and Consumer Protection (“Board”) met on November 17, 2016, at the Department of Agriculture, Trade and Consumer Protection (“Department”), 2811 Agriculture Drive, Board Room, Madison, WI. The meeting was preceded by public notice as required by Wis.Stat. §19.84.

Call to Order

Board Chair Miranda Leis called the meeting to order at 9:03 a.m.

Members Present

Dennis Badtke, Miranda Leis, Greg Zwald, Paul Palmby, Mark Schleitwiler, Andy Diercks, Dean Strauss, and Nicole Hansen were present. No Board members were absent.

Minutes

Motion

Dean Strauss moved, and Paul Palmby seconded, a motion to approve the September 8, 2016, Board minutes. Motion approved unanimously.

Aldo Leopold Conservation Award

Brooks Farms of Waupaca, owned and operated by Ron Brooks and his four daughters, Alyssa, Kelsey, Zoey, and Sydney, was recognized as the 2016 winners of Wisconsin’s Aldo Leopold Conservation Award. The Aldo Leopold Conservation Award, which was presented by the Sand County Foundation, the Wisconsin Farm Bureau, and Department Secretary Ben Brancel, honors Wisconsin landowner achievement in voluntary stewardship and management of natural resources.

Public Appearances

Karen Gefvert, representing the Wisconsin Farm Bureau Federation (WFBF), appeared before the Board in support of the ch. ATP 50 Hearing Draft. WFBF believes that the rule needs to be updated to incorporate changes made to the United States Department of Agriculture (USDA) Natural Resources Conservation Services (NRCS) 2015 version of the 590 Nutrient Management Standard. Currently, ch. ATP 50 references the NRCS standards developed in 2005.

Producer Security Council Update (Report)

Jeremy McPherson, Director of the Bureau of Business Trade Practices within the Division of Trade and Consumer Protection, provided a report regarding the Agricultural Producer Security Council and its recent discussions about the future of the Agricultural Producer Security Fund Program.

Agency Information Technology (Report)

Karen Arriola, Director of the Information Technology (IT) Bureau within the Division of Management Services, presented a powerpoint to the Board highlighting the IT projects that have been completed and ongoing projects within the Department.

STAR Overview (Report)

Alison Scherer, Director of the Human Resources Bureau within the Division of Management Services, provided a powerpoint and overview of the statewide STAR initiative, which was developed to consolidate IT systems across state agencies in Human Resources, Payroll, Finance, Budget, and Reporting.

ATCP 74–Retail Food Establishments-Local Government (Hearing Draft)

Dr. Steve Ingham, Division Administrator of the Division of Food and Recreational Safety, along with Jim Kaplanek, Chief of the Retail and Recreational Services Section, and Arthur Ness, Technical Specialist Evaluation Officer, presented the Hearing Draft of ch. ATCP 74.

Motion

Dennis Badtke moved, and Miranda Leis seconded, a motion to approve the Hearing Draft of ch. ATCP 74. Motion approved unanimously.

ATCP 70/87–Maple Syrup Processing and Grading (Final Draft)

Dr. Steve Ingham, Division Administrator for the Division of Food and Recreational Safety, along with Peter Haase, Director of the Food and Recreational Business Bureau and Arthur Ness, Technical Specialist Evaluation Officer, presented the Final Draft of ch. ATCP 70/87.

Motion

Nicole Hansen moved, and Dean Strauss seconded, a motion to approve the Final Draft of ch. ATCP 70/87. Motion approved unanimously.

Wisconsin Agricultural Statistics Services (Report)

Greg Bussler, State Statistician, updated the Board on the recent production and price reports. The 2016 Wisconsin Agricultural Statistics book was also provided to the Board members.

Board Resolution Commending Douglas D. Wolf

Board Chair Miranda Leis proposed a Board Resolution to commend Board member Douglas D. Wolf, for his service to the Board, posthumously. Miranda, along with Secretary Brancel, presented the approved Board Resolution to Doug's wife, Kristine Wolf.

Motion

Dean Strauss moved, and Andy Diercks seconded, a motion to approve the Board Resolution commending Douglas D. Wolf. Motion approved unanimously.

ATCP 21–Plant Inspection and Pest Control–Emergency Rule (Umbrella Scope Statement)

Shahla Werner, Chief of the Plant Protection Section within the Division of Agricultural Resource Management, presented the Emergency Rule Umbrella Scope Statement of ch. ATCP 21 to the Board.

Motion

Andy Diercks moved, and Mark Schleitwiler seconded, a motion to approve the Emergency Rule Umbrella Scope Statement of ch. ATCP 21. Motion approved unanimously.

ATCP 20–Seed Labeling and Selling (Final Draft)

Greg Helmbrecht, Seed Labeling Program Manager, from the Division of Agricultural Resource Management, presented the Final Draft of ch. ATCP 20 to the Board.

Motion

Nicole Hansen moved, and Greg Zwald seconded, a motion to approve the Final Draft of ch. ATCP 20. Motion approved unanimously.

ATCP 50–Soil and Water Resource Management (Hearing Draft)

Sara Walling, Chief of the Nutrient Management and Water Quality Section, and Sue Porter, Nutrient Management Specialist, both from the Division of Agricultural Resource Management, presented the Hearing Draft of ch. ATCP 50 to the Board, along with a powerpoint.

Motion

Nicole Hansen moved, and Dean Strauss seconded, a motion to approve the Hearing Draft of ch. ATCP 50. Motion approved unanimously.

2011 Wis. Act 21 Overview and Effect (Report)

Karley Downing, Chief Legal Counsel for the Department, provided a history and overview of 2011 Wis. Act 21 and how it impacts the Department and the administrative rule process.

2017 Board Meeting Dates Discussion

It was determined that the first Board meeting of 2017 will be held in February. The Department will provide suggested 2017 meeting dates to the Board at the December 2016 Board meeting.

Board Member Reports

Dennis Badtke—The merger of Badgerland Financial with AgStar Financial Services of Minnesota and 1st Farm Credit Services of Northern Illinois is progressing. Now that AgriBank has signed off on the proposal, the plan will go to the membership in spring for a full vote. While credit quality remains good, credit demand is not as high as originally projected. Land value remains steady but variable in some areas. Dennis wished everyone a Happy Thanksgiving.

Greg Zwald—Farm yields have been terrific with bean producers harvesting within the seventy bushel range. There is still some corn that needs to be harvested. Greg participated in conversations about a local moratorium limiting Concentrated Animal Feeding Operation (CAFO) livestock expansions in the county. While there are arguments for both sides of the argument, Greg would recommend doing further study on the implications that a moratorium may have on local farmers.

Mark Schleitwiler—The new distribution center for BelGioioso Cheese will be fully completed within the next five weeks. Last month, BelGioioso also broke ground on their new cheese factory, which is anticipated to be operational in May 2017. Mark recently returned from an elk hunting trip to Montana and enjoyed the beautiful weather. Mark's father also recently passed away at the long-lived age of 102.

Miranda Leis—Miranda's farm and surrounding area experienced near-record flooding of at least one six-inch rain event every week for three weeks in a row. This occurred in the middle of corn silage harvest, so there could be some issues with the stored-feed quality. Despite the rain challenges, her farm had a record crop production this year. However, storage capacity has been put to the test in her area as some farmers cannot complete their harvesting until there is room for their crops. Organic Valley is focusing on their Cashton distribution center, where they are proceeding with converting butter to ghee, cutting cheese, and performing other specialty functions. They also recently acquired a dairy facility in Oregon, which will be used for processing powder, cheese, and butter. Miranda wished the Board a Happy Thanksgiving.

Andy Diercks—Recent rains had a damaging effect on the potato crop. Many potato farmers in the state experienced at least one three-inch rain event, which is very detrimental to potatoes and can affect quality. Conversely, Idaho produced an amazing potato crop this year. Andy has been continuing to meet on water issues. He recently returned from a mountain biking trip to Utah.

Paul Palmby—Seneca Foods has seen a bounty of crops from their producers, specifically snap beans and corn, with excess yield at times being left on the field. Several weeks of wet weather has made it more difficult to harvest some of the root crops, specifically beets, but overall they are also producing very well.

Dean Strauss—Harvest has gone very well for Dean. The wheat crop, soybeans, and grain-corn yields have been great. This summer, Dean was able to produce five hay cuttings, which is very unusual for his area. With record yields however, comes elevator-capacity concerns. On the dairy side, Dean is preparing to add thirteen milking robots in one of his facilities.

Nicole Hansen—In spite of the rainy summer, several bouts with hail, and quality concerns, the cranberry crop produced top yields throughout the state. While Wisconsin produced 5.8 million cranberries, Quebec's cranberry crop recently produced in the 3 million range. Prices however continue to remain the same as they have over the last several years for producers. Nicole wished the Board a Happy Thanksgiving and encouraged them to eat their cranberries.

Secretary's Report

Secretary Ben Brancel—This October, the World Dairy Expo celebrated its 50th anniversary in Madison. The event drew more than 74,000 people to Madison, including international guests representing 102 countries. Department staff contributed greatly to the success of the World Dairy Expo. The Division of Animal Health veterinarians ensured that the 2,434 dairy cattle on the grounds had proper documentation. The Wisconsin Farm Center had one booth of 881 participants in the enormous trade show. The Division of Agricultural Development coordinated the presentation of the Cow of the Year while the Department's International Agribusiness Center hosted international delegations and a Global Dairy Symposium with three elite speakers.

In September, the Secretary attended the National Association of State Departments of Agriculture (NASDA) meeting in Nebraska and was selected to serve on a working group for

Specialty Crop Block Grants as NASDA prepares for the next Food Bill. The Secretary was also selected to serve on a working group for Food Labeling, as the discussions continue at USDA about what should be included on a food label.

In October, Ontario hosted the Tri-National Agricultural Accord. The dairy trade issues with Canada was a priority for the U.S. delegation.

The Secretary attended the UW Extension Fall Beef Meeting at the Kuchta Family Farm in Coleman. One of the Division of Food and Recreational Safety staff members presented information on how people can direct market their own beef.

Cabinet members were invited to participate in the Governor's Small Business Summit in Appleton on September 19. Breakout sessions included cybersecurity for small business, how to grow your workforce by cooperating with schools and colleges, and how to engage your local legislator.

In October, the Secretary participated in the building construction ceremony for the UW Madison College of Agricultural and Life Sciences Meat Science Building. The building, which will including space for hands-on teaching and training, production facilities to develop new meat products, and laboratories to isolate pathogens for food safety research, is scheduled to be opened in 2018.

The Secretary recently hosted listening sessions in Marquette and Columbia counties. These listening sessions are part of the Governor's initiative to gather input from across the state. The two questions that were posed were: what do we like about Wisconsin and where do we want to see Wisconsin in the future.

In early November, the Secretary's calendar included with a trip to Springside Cheese in Oconto Falls and Blaser Farms in Gillett as part of a Governor's Cabinet on the Road, leading up to the Governor's Northern Wisconsin Economic Development Summit. He also led an agency tribal consultation, hosted by the Stockbridge-Munsee in Bowler. Topics on the agenda included an update on the tribal food code, Chronic Wasting Disease update, and trade and consumer protection information. Finally, he joined the celebration at the National Association of Farm Broadcasters Convention. Brian Winnekins of Durand served as president of the organization this past year and Bob Bosold of Eau Claire was inducted into the Hall of Fame.

Future Schedule and Agenda Items

The Board is scheduled to meet December 21, 2016, in Madison. The Board requested to set the meeting dates for 2017.

Adjournment

By unanimous consent, the Board adjourned at approximately 2:53 p.m.

Miranda Leis, Board Chair

Dennis Badtke, Secretary

All reports and any associated documents presented during a Board meeting can be accessed by contacting the
Office the Secretary, Legal Counsel at (608) 224-5023.